

Notice of Allowability

Application No.

10/633,737

Examiner

Jeanne-Marguerite Goodwin

Applicant(s)

LANG, TIMOTHY R.

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/27/07.
2. ☒ The allowed claim(s) is/are 9,17,18,21 and 22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Reason for Allowance

The following is an examiner's statement of reasons for allowance:

Regarding claim 9: The reference to DE 004135514 to Kuehnhanss shows a timepiece in Figs. 5-7 comprising a display face (14) including a color time field having a first horizontal axis representing a first unit of time (Figs. 5-7) and a second vertical axis representing a second unit of time (Figs. 5-7), wherein the first unit of time and the second unit of time are minutes or seconds (Figs. 5-7); wherein a colored section fills the color time field as time elapses and wherein a current color displayed in the colored section is one color in a set of different colors that correspond to a predetermined measurement of time (translation, page 7, lines 8-11).

Applicant's claimed invention further discloses 24 different colors, each of which corresponds to a different hour in a day. Furthermore, the timepiece of Kuehnhanss does not have the 24 different color arrangement and there seems to be no motivation to modify the device shown in Kuehnhanss to accommodate such a 24 different color arrangement.

Regarding claim 21: The reference to DE 004135514 to Kuehnhanss shows a timepiece in Figs. 5-7 comprising a display face (14) including a color time field having a first horizontal axis representing a first unit of time (Figs. 5-7) and a second vertical axis representing a second unit of time (Figs. 5-7), wherein the first unit of time and the second unit of time are minutes or seconds (Figs. 5-7); wherein a colored section fills the color time field as time elapses and wherein a current color displayed in the colored section is one color in a set of different colors that correspond to a predetermined measurement of time (translation, page 7, lines 8-11).

Applicant's claimed invention further discloses wherein a current color displayed in the colored section is one color in a set of 12 different colors, each of which corresponds to a different hour in half a day. Furthermore, the timepiece of Kuehnhanss does not have the 12 different color arrangement and there seems to be no motivation to modify the device shown in Kuehnhanss to accommodate such a 12 different color arrangement.

Regarding claim 21: The reference to DE 004135514 to Kuehnhanss shows a timepiece in Figs. 5-7 comprising a display face (14) including a color time field having a first horizontal axis representing a first unit of time (Figs. 5-7) and a second vertical axis representing a second unit of time (Figs. 5-7), wherein the first unit of time and the second unit of time are minutes or seconds (Figs. 5-7); wherein a colored section fills the color time field as time elapses and wherein a current color displayed in the colored section is one color in a set of different colors that correspond to a predetermined measurement of time (translation, page 7, lines 8-11). Applicant's claimed invention further discloses wherein the color time field is a 60 unit x 60 unit grid having a set of 3,600 units, wherein a next color in the set of colors corresponding to a next consecutive hour begins to fill the color time field after the current color in the colored section representing a current hour has filled each of the 3,600 units in the grid. Furthermore, the timepiece of Kuehnhanss does not have the particular color time field grid arrangement and there seems to be no motivation to modify the device shown in Kuehnhanss to accommodate such a grid arrangement.

Claims 17 and 18 have been found to be allowable as being dependent upon the allowable claim 21.

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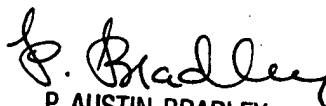
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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeanne-Marguerite Goodwin whose telephone number is (571) 272-2104.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

JGM
12/07/07


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